

ORDINANCE NO. 7524

AN ORDINANCE TO AMEND THE AUGUSTA, GEORGIA CODE TITLE FOUR, CHAPTER ONE, ARTICLE TWO, SECTION 4-1-6 RELATED TO DUTIES AND RESPONSIBILITIES OF BOARD MEMBERS; SECTION 4-1-7 RELATED TO BY-LAWS; SECTION 4-1-8 RELATED TO CLASSIFICATION OF VICIOUS OR DANGEROUS DOGS; SECTION 4-1-9 RELATED TO REQUIREMENT FOR POSSESSING VICIOUS OR DANGEROUS DOGS; SECTION 4-1-10 RELATED TO RESTRICTIVE MOVEMENT OF VICIOUS OR DANGEROUS DOGS; SECTION 4-1-11 RELATED TO CONFISCATION; SECTION 4-1-12 RELATED TO VIOLATIONS AND PENALTIES; SECTION 4-1-13 RELATED TO NUISANCE; SECTION 4-1-16 RELATED TO DEFINITIONS; SECTION 4-1-19 RELATED TO COLLAR AND RABIES VACCINATION REQUIRED TAGS; SECTION 4-1-21 RELATED TO DUTY OF OWNERS TO KEEP ANIMAL UNDER CONTROL; SECTION 4-1-25 RELATED TO DISPOSITION OF IMPOUNDED ANIMALS; SECTION 4-1-26 RELATED TO ABANDONMENT OF ANIMALS; SECTION 4-1-27 RELATED TO CRUELTY; SECTION 4-1-29 RELATED TO DISPOSAL OF DEAD ANIMALS; SECTION 4-1-36 DUTY TO KEEP ANIMAL UNDER CONTROL; SECTION 4-1-37 TETHERING; SECTION 4-1-38 INTERFERENCE WITH ANIMAL CONTROL OFFICER; SECTION 4-1-39 REGISTRATION REQUIREMENT; SECTION 4-1-40 COMPLIANCE; SECTION 4-1-41 CHANGE IN ADDRESS/OWNERSHIP; SECTION 4-1-42 BREEDING OF ANIMALS; SECTION 4-1-43 FEES AND FINES; SECTION 4-1-44 FEE SCHEDULE; SECTION(S) 4-1-14 THRU 4-1-15 AND 4-1-45 THRU 4-1-50 RESERVED; AND SECTION 4-1-53 RELATED TO IMPOUNDMENT OF STRAYING LIVESTOCK; TO REPEAL ALL CODE SECTIONS AND ORDINANCES AND PARTS OF CODE SECTIONS AND ORDINANCES IN CONFLICT HERewith; TO PROVIDE AN EFFECTIVE DATE AND FOR THE OTHER PURPOSES PROVIDED HEREIN.

WHEREAS, the Augusta, Georgia Commission finds that unintended or uncontrolled breeding of dogs and cats within Augusta, Georgia leads to the births of unwanted puppies, kittens, dogs, and cats that become strays, suffer deprivation and danger, and that may constitute public hazards, and are impounded and euthanized at great expense to the community. Augusta, Georgia further finds and declares that the ownership of pets entails responsibility on the part of the owners, and that it may adopt civil penalties and other sanctions as measures to safeguard the public coffers from failure in responsibility by pet owners and to provide for the peace and dignity of Augusta, Georgia communities; and

WHEREAS, The Board of Commissioners also finds that although many of these unwanted animals are healthy, some others are not and that the latter have an adverse impact on the public health, safety, welfare, and environment. The impact of these animals includes, but is not limited to, the transmission of disease, the injury and sometimes death of humans and other animals, the creation of hazards to vehicular travel, and a drain on public finances; and

WHEREAS, The Board of Commissioners further finds that uncontrolled or unintended breeding of dogs and cats is the cause of the pet overpopulation problem and, without action

aimed at the cause of the problem, this problem and its serious consequences, including the cycle of impoundment and euthanasia of unwanted animals, will remain unabated and will be compounded with time; and

WHEREAS, The Board of Commissioners also finds that one of the most effective, economical, humane, and ethical solutions to the problem of dog and cat overpopulation is to substantially reduce, if not eliminate, unintended breeding, and by such reduction or elimination, Augusta, Georgia seeks to promote the public health, safety, welfare, and environmental interests of its citizens; and

WHEREAS, these regulations are hereby adopted to advance the fundamental goal of protecting the health, safety and welfare of the citizens of Augusta, Georgia, and to further legitimate government interests, including ameliorating the drain on public finances resulting from impoundment and euthanasia of animals, reducing the transmission of disease, mitigating hazards to vehicular travel and dangers posed by roaming animals, and reducing the serious overpopulation of dogs and cats in the community; and

WHEREAS, it is the desire of the Board of Commission to update and improve the Animal Services provisions of the CODE applicable to the community; and

WHEREAS, the provisions of the animal control ordinances have been revised at various times to meet the needs of the growing population of Augusta, Georgia; and

WHEREAS, at the request of the Animal Services Staff the Commission has been asked to again revise these ordinances to address some of the recent issues in control, enforcement and prosecution which have arisen; and

WHEREAS, these regulations are hereby adopted to advance the fundamental goal of protecting the health, safety and welfare of the citizens of Augusta, Georgia, and to further legitimate government interests.

THE AUGUSTA, GEORGIA COMMISSION ordains as follows:

SECTION 1. AUGUSTA, GA. CODE Section 4-1-6 as set forth in the Augusta, Ga. Code, re-adopted July 10, 2007, is hereby amended by striking this section in its entirety and inserting in lieu thereof new Code Section 4-1-6, as set forth in "Exhibit A" hereto.

SECTION 2. AUGUSTA, GA. CODE Section(s) 4-1-7 thru 4-1-15 Reserved as set forth in the Augusta, Ga. Code, re-adopted July 10, 2007, is hereby amended by striking this section in its entirety and inserting in lieu thereof new Code Section 4-1-7 thru 4-1-13, as set forth in "Exhibit B" hereto.

SECTION 3. Section(s) 4-1-14 thru 4-1-15 of the AUGUSTA, GA. CODE shall remain reserved.

SECTION 4. AUGUSTA, GA. CODE Section 4-1-16 as set forth in the AUGUSTA, GA. CODE, re-adopted July 10, 2007, is hereby amended by striking this section in its entirety and inserting in lieu thereof new Code Section 4-1-16, as set forth in "Exhibit C" hereto.

SECTION 5. Augusta, GA. CODE Sections 4-1-19 as set forth in the AUGUSTA, GA. CODE, re-adopted July 10, 2007, is hereby amended by striking this section in its entirety and inserting in lieu thereof new Code Sections 4-1-19, as set forth in "Exhibit D" hereto.

SECTION 6. AUGUSTA, GA. CODE Section 4-1-21 as set forth in the AUGUSTA, GA. CODE, re-adopted July 10, 2007, is hereby amended by striking this section in its entirety and inserting in lieu thereof new Code Section 4-1-21, as set forth in "Exhibit E" hereto.

SECTION 7. Augusta, Ga. Code Section 4-1-25 as set forth in the Augusta, Ga. Code, re-adopted July 10, 2007, is hereby amended by striking this section in its entirety and inserting in lieu thereof new Code Section 4-1-25, as set forth in "Exhibit F" hereto.

SECTION 8. Augusta, Ga. Code Sections 4-1-26 as set forth in the Augusta, Ga. Code, re-adopted July 10, 2007, is hereby amended by striking this section in its entirety and inserting in lieu thereof new Code Section 4-1-26, as set forth in "Exhibit G" hereto.

SECTION 9. AUGUSTA, GA. CODE Sections 4-1-27 as set forth in the AUGUSTA, GA. CODE, re-adopted July 10, 2007, is hereby amended by striking this section in its entirety and inserting in lieu thereof new Code Section 4-1-27, as set forth in "Exhibit H" hereto.

SECTION 10. AUGUSTA, GA. CODE Sections 4-1-29 as set forth in the AUGUSTA, GA. CODE, re-adopted July 10, 2007, is hereby amended by striking this section in its entirety and inserting in lieu thereof new Code Section 4-1-29, as set forth in "Exhibit I" hereto.

SECTION 11. AUGUSTA, GA. CODE Section(s) 4-1-36 thru 4-1-50 Reserved as set forth in the Augusta, Ga. Code, re-adopted July 10, 2007, is hereby amended by striking this section in its entirety and inserting in lieu thereof new Code Section 4-1-36 thru 4-1-44, as set forth in "Exhibit J" hereto.

SECTION 12. Section(s) 4-1-45 thru 4-1-50 of the Augusta, Ga. Code shall remain reserved.

SECTION 13. AUGUSTA, GA. CODE Section 4-1-53 as set forth in the AUGUSTA, GA. CODE, re-adopted July 10, 2007, is hereby amended by striking this section in its entirety and inserting in lieu thereof new Code Section 4-1-53, as set forth in "Exhibit K" hereto.

SECTION 14. This ordinance shall become effective on January 1, 2017 in accordance with applicable laws.

SECTION 15. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Adopted this 16th day of February, 2016.

Hardie Davis, Jr.
Hardie Davis, Jr.
As its Mayor

Attest:

Lena J. Bonner, Clerk of Commission

Seal:



AGM
2/24/16

CERTIFICATION

The undersigned Clerk of Commission, Lena J. Bonner, hereby certifies that the foregoing Ordinance was duly adopted by the Augusta, Georgia Commission on February 16, 2016 and that such Ordinance has not been modified or rescinded as of the date hereof and the undersigned further certifies that attached hereto is a true copy of the Ordinance which was approved and adopted in the foregoing meeting(s).


Lena J. Bonner, Clerk of Commission

Published in the Augusta Chronicle

Date: February 23, 2016

First Reading February 2, 2016

Second Reading February 16, 2016

EXHIBIT A

Strike:

~~Sec. 4-1-6. Duties and responsibilities of board members.~~

~~Members of the Animal Control Board shall have as their duties and responsibilities, in addition to administering the Dangerous Dog Control Law, as provided in Section 4-1-4 hereof, the following:~~

- ~~(a) To work actively in educating the public as to the need for sterilization of dogs and cats;~~
- ~~(b) To review and make recommendations to the Augusta-Richmond County Commission through the Administrator concerning the job performance of the Director of the Animal Control Department;~~
- ~~(c) To review and make recommendations to the Augusta-Richmond County Commission through the Administrator concerning the budgets and fiscal needs of the animal control department;~~
- ~~(d) To attend meetings of the Animal Control Board;~~
- ~~(e) To review and make recommendations to the Augusta-Richmond County Commission concerning the policies governing the operation of the Animal Control Department, including rules and regulations for the operation of animal shelter facilities consistent with rules and regulations of the Georgia Department of Agriculture;~~
- ~~(f) To review and make recommendations to control the animal population; and~~
- ~~(g) To notify the appropriate authorities of a vacancy on the Animal Control Board so that a person may be appointed to complete unexpired or full terms.~~

Replace With:

Sec. 4-1-6. Duties and responsibilities of board members.

Members of the Animal Control Board shall have as their duties and responsibilities, in addition to administering the Dangerous Dog Control Law, as provided in Section 4-1-4 hereof, the following:

- (a) To work actively in educating the public as to the need for sterilization of dogs and cats;**
- (b) To attend meetings of the Animal Control Board;**
- (c) To review and make recommendations to control the animal population; and**

- (d) To notify the appropriate authorities of a vacancy on the Animal Control Board so that a person may be appointed to complete unexpired or full terms.

EXHIBIT B

Strike:

Sees. 4-1-7 thru 4-1-15. Reserved

Replace With:

Sec. 4-1-7. Animal Services Advisory Board By-Laws.

ARTICLE I **PURPOSE AND ROLE**

Section 1. The Animal Services Advisory Board (hereinafter "ASAB") shall be constituted to advise the city of Augusta and the Animal Services Director on matters pertaining to animal services through recommendations and reports. The ASAB is a recommending body. The Animal Services Director does not report to or work for the ASAB. The ASAB must remain committed to the following principle that Animal Services is a public safety agency.

Section 2. The ASAB shall seek out and recommend programs that may enhance the animal services in Augusta, Georgia.

Section 3. The ASAB shall make recommendations to enhance animal welfare and safety.

Section 4. The ASAB shall seek out and recommend alternate funding sources to startup or sustain animal services programs.

Section 5. The ASAB shall take the lead in recruiting qualified volunteers who are interested in serving to enhance Augusta, Georgia's Animal Services.

ARTICLE II **MEMBERSHIP**

Section 1. The ASAB shall consist of ten (10) members. Each appointee shall be designated by the commission-council member representing a designated district. Each of the ten (10) members of the ASAB shall be nominated by the individual Commissioner representing District 1, District 2, District 3, District 4, District 5, District 6, District 7, District 8, District 9, and District 10. Each member of the ASAB appointed pursuant to this paragraph shall be required to reside in the district of the appointing Commissioner.

Section 2. In addition, two (2) members may be recommended by the Augusta-Richmond County delegation in the General Assembly of Georgia and appointed by the Augusta, Georgia

Commission. In the event the appointed authority of the Legislative Delegation is removed from the Consolidation Act, this subsection shall automatically be repealed.

Section 3. In the event that there are unfilled vacancies on the ASAB for any period of time, a ASAB consisting of six (6) or more members may exercise all powers delegated to the ASAB until the vacancies are filled.

Section 4. Advisory Board members may resign by submitting a written resignation to their appointing authority, copying the Chairman of the Advisory Board, the Director of Animal Services, and the Clerk of Commission.

Section 5. Each ASAB member shall serve at the pleasure of their appointing commissioner and may be removed at any time, with or without cause.

Section 6. Members of the ASAB serving as of January 1, 2016, shall serve until their fixed term has expired and continue to serve until their successors are appointed and qualified by the Commissioner representing the respective Districts.

I. CHAIRMAN

A Chairman shall be elected by the ASAB from among its members for a one (1) year term. The term shall run from January 1 of each year until December 31 of each year. The Chairman shall serve as such for no more than two (2) consecutive terms.

- A. The Chairman shall preside over the ASAB and shall have the right to vote.
- B. The Chairman shall decide all points of procedure, subject to these bylaws and the latest edition of Roberts Rules of Order, unless otherwise directed by the majority of the ASAB in session at the time.
- C. The Chairman shall appoint any committees found necessary to investigate any matters before the ASAB.

II. VICE-CHAIRMAN

A Vice-Chairman shall be elected by the ASAB from among its members in the same manner for a one (1) year term. The term shall run from January 1 of each year until December 31 of each year. The Vice-Chairman shall serve no more than two (2) consecutive terms.

- A. The Vice-Chairman shall serve as "Acting Chairman" in the absence of the Chairman or when that officer has to refrain from participation because of a conflict of interest and shall have the same powers and duties as the Chairman.
- B. The Vice-Chairman shall have the right to vote.

- C. Upon the resignation or disqualification of the Chairman, the Vice-Chairman shall assume the chairmanship for the remainder of the unexpired term or until a new Chairman is elected.

III. SECRETARY

The Secretary of the ASAB shall be responsible for keeping records of board actions, including overseeing the taking of minutes at all board meetings, sending out meeting announcements, distributing copies of minutes and the agenda to each board member, and assuring that ASAB records are maintained.

Notice of Regular Meetings - Notice of the time, place, and dates of regular meetings (e.g., the Advisory Board's monthly meeting) must be made available to the general public and be posted in a conspicuous place at the regular meeting place of the agency and must be posted on Augusta's website. For any meeting that is not conducted at the regular meeting place or time, Augusta, Georgia, through its Advisory Board must post the time, place, and date of the meeting for at least (24) hours at the regular meeting location and give written or oral notice at least (24) hours in advance of the meeting to the legal organ of the county or a newspaper with equal circulation. In counties in which a legal organ is published less than four times per week, the time, place, and date of the meeting must be posted for at least (24) hours at the regular meeting location and, upon written request from broadcast or print media in the county, notice must be provided to the requesting media outlet (24) hours in advance of the meeting. Upon written request from any local broadcast or print media outlet, a copy of the meeting's agenda must be provided by fax, by e-mail, or by mail through a self-addressed, stamped envelope provided by the requester.

Notice of Special/Emergency Meetings - For emergency meetings (i.e., meetings with less than (24) hours notice), the meeting notice must include the date, time and location of the meeting, the subjects expected to be covered at the meeting and the reason for meeting with less than (24) hours notice.¹ Notice must be provided to the county legal organ or a newspaper with greater circulation in the county than the legal organ. Notice must also be provided by telephone, fax or e-mail to any broadcast or print media outlet whose place of business and physical facilities are located in the county when such media outlet has made written request for such notice within the previous calendar year. The Secretary of the Advisory Board shall ensure that the Clerk of Commission and the public are aware of all special called meetings or emergency meetings of the board.

IV. ELECTIONS

Election of the ASAB officers shall be held during the regular meeting in December, with newly elected officers taking office in the following January. To be considered for office a committee member must have served on the ASAB for at least one (1) calendar year.

¹ OCGA §50-14-1(d)(3).

V. TERMS OF APPOINTMENT

Each ASAB member shall serve at the pleasure of their appointing authority and can be removed from the ASAB by the appointing authority, with or without cause, at any time. For all members appointed by individual Commissioners, the term of membership shall coincide with the appointing Commissioners term of office. Members may continue to serve on the ASAB until their successors are appointed and qualified. Members of the ASAB shall not receive a salary unless such is provided for by the Augusta, Georgia Commission.

VI. CONFLICT OF INTEREST MEMBERS

In connection with any actual or possible conflict of interest, the interested board member must disclose the existence of the conflict and be given the opportunity to disclose all material facts to the ASAB. At any time the ASAB is to undertake any official action which will affect a monetary or other vested interest of a member of the Commission, that ASAB member shall reveal the existence of that interest to the Commission at the next meeting after the member becomes aware of the conflict of interest. The ASAB member shall abstain from voting on that matter.

VII. RESIGNATION

Advisory Board members may resign by submitting a written resignation to their appointing authority, copying the Chairman of the Advisory Board and the Clerk of Commission.

VIII. STAFF LIAISON

The Augusta Animal Services Department shall serve as the staff liaison for the ASAB. The Director, or designee, shall assist the Chairman in preparing meeting agendas, recording and transcribing the minutes of all meetings, and handling all related correspondence with Committee members. The Animal Services Department shall be responsible for notifying the Clerk of Commission and the general public with advanced notice of all meetings of the ASAB in accordance with the Georgia Open Meetings Act.² ASAB support shall not restrict the Animal Services Departments ability to carry out its primary service mission.

IX. VOTING

1. Each Committee member, including the Chairman and Vice-Chairman, shall vote. A committee member shall abstain from voting in the event of a conflict of interest. The

² OCGA §§ 50-14-1 et seq.

committee member shall state for the record the basis for the abstention and complete a Statement of Potential Conflict of Interest form.

2. Voting by proxy or absentee is prohibited.

X. ATTENDANCE AT MEETINGS AND REMOVAL OF MEMBERS

Faithful and prompt attendance at all meetings of the ASAB, and conscientious performance of the duties required of members, shall be a prerequisite to continuing membership on the ASAB. Should a member fail to attend three (3) consecutive regular meetings of the ASAB, and should there be no adequate excuse for such absences, the ASAB, by a majority vote may remove such person from membership and shall recommend to the appointing authority that a vacancy exists and that the vacant position be filled in an expeditious manner. The determination as to what constitutes "adequate excuse" shall be determined by a majority vote of the ASAB.

XI. QUORUM

A quorum of the ASAB shall consist of a majority of the total number of members of the Advisory Board. For purposes of calculating a quorum, vacant seats shall not be considered. Where no quorum exists no official meeting can take place; no official action can take place; and no minutes are to be created.

XII. MEETINGS

Meetings will be conducted according to the latest version of Roberts Rules of Order, except as modified by these by-laws. Regular Meetings: Regular meetings of the Animal Services Advisory Board shall be held on the third Thursday of each month at 5:45 P.M. in the Augusta Animal Services Department, 4164 Mack Lane, Augusta, GA 30906, or in any other designated meeting place, provided the location is specified in all notices required by law. If a regularly scheduled meeting occurs on a legal holiday, the Chairman, with the concurrence of a majority of the ASAB, may set an alternate date for the meeting. The Secretary of the ASAB shall have the responsibility of notifying the Clerk of Commission and others of the date, time and location of meetings of the ASAB as required by the Georgia Open Meetings Act.³ If a quorum is not present at a regular meeting of the Committee, a special meeting may be held within fourteen (14) working days from such scheduled meeting.

XIII. SPECIAL/EMERGENCY MEETINGS

Special meetings of the ASAB may be called at any time by the Chairman. At least forty-eight (48) hours' notice of the time and place of special meetings shall be given to each member of the ASAB and the Secretary. The Secretary shall have the responsibility of notifying the Clerk of Commission and others as required by the Georgia Open Meetings Act.

³ OCGA §§ 50-14-1 et seq.

XIV. CANCELLATION OF MEETINGS

Regularly scheduled meetings can be cancelled or postponed whenever there is no business for the ASAB to consider. The Chairman may dispense with a regular meeting by giving notice to all board members not less than twenty-four (24) hours prior to the time set for the meeting.

XV. ADJOURNED MEETINGS

Should the business before the Advisory Board not be completed, the Chairman may adjourn the same from day-to-day until the matters before the Advisory Board are completed.

XVI. OPEN MEETINGS

Unless otherwise determined in advance, all meetings of the ASAB will be open to the public. Once an open meeting has begun, it will not be closed for any reason. All materials brought before, or presented to, the ASAB during the conduct of an open meeting, including the minutes of the proceedings of an open meeting, will be available to the public for review or copying at the time of the scheduled meeting.

Members of the public may attend any meeting or portion of a meeting that is not closed to the public and may at the determination of the Chairman, offer oral comment at such meeting. Comments will be limited to five (5) minutes. The Chairman may decide in advance to exclude oral public comment during a meeting, in which case the meeting announcement will note that oral comment from the public is excluded and will invite written comment as an alternative. Members of the public may submit written statements to the ASAB at any time.

XVII. AGENDA, SUMMARY AND MINUTES

The agenda for each meeting shall be prepared by the Secretary at the direction of the Chairman. The order of business before the board shall be: (1) Determination of Quorum, (2) Approval of Minutes of the Previous Meeting, (3) Reports, (4) Old Business, (5) New Business, (6) Announcements, (7) Adjournment.

An agenda of all matters expected to come before the ASAB must be made available upon request and must be posted at the meeting site as far in advance as is practicable during the two weeks prior to the meeting.⁴ If a particular issue is not included on the posted agenda it may still be considered by the board if it is deemed necessary to address it. The clear intent of this provision is to ensure that the public is informed of the matters that will come before the body.

Members of the public shall be allowed access to the meeting and must be allowed to make visual and sound recordings of the open portions of any meeting.⁵

⁴ OCGA §50-14-1(e).

⁵ OCGA § 50-14-1(c).

A written summary of the subjects acted on and a list of the members attending the meeting must be prepared and made available within two (2) business days of the meeting.⁶ Minutes of the meeting must be prepared and made publicly available after having been approved as official; such approval is to occur at the next regular meeting of the agency. The minutes must, at a minimum, contain the names of the members present at the meeting, a description of each motion or other proposal made, a record of who made and seconded each motion, and a record of all votes including who voted for and who voted against each motion. It shall be presumed that the action taken was approved by each person in attendance unless the minutes reflect the name of the persons voting against the proposal or abstaining. For meetings with less than (24) hours notice, the minutes must also describe the notice given and the reason for the emergency meeting.

XVIII. STAFFING ARRANGEMENTS.

Assistance shall be provided to the ASAB by the Augusta Animal Services Department staff. The Animal Services Department staff shall assist the Director, or designee, in coordinating all information submitted from other sources to the Committee.

Specifically, it shall be the responsibilities of the Animal Services staff, under the direction of the Director, to:

1. Make available, in conjunction with the Chairman, relevant information and prepare recommendations.
2. Make available copies of comments, proposals or any other information submitted from other sources, in accordance with the Georgia Open Records Act and Georgia Open Meetings Act in a timely fashion.
3. Serve as a liaison between the ASAB and other departments.

XIX. NOTICE AND PUBLIC INFORMATION.

The Animal Services Director, or designee, is required to comply with guidelines pertaining to matters of public notice and scheduling as provided by the Clerk of Commission.

XX. AMENDMENTS.

All amendments, modifications, or changes to these by-laws shall first receive an affirmative vote of two-thirds majority of the members of the ASAB. All amendments, modifications, or changes require the legislative authorization of the Augusta Board of Commissioners and approval of the Mayor before becoming effective.

⁶ OCGA § 50-14-1(e)(2)

Section 4-1-8. Procedures for classifying vicious dogs and dangerous dogs; notice; hearing.

- (a) Upon receiving a report of a dog believed to be subject to classification as a dangerous dog or vicious dog the animal control officer shall make such investigations as necessary to determine whether such dog is subject to classification as a dangerous dog or vicious dog.
- (b) If the animal control officer believes that a dog subject to classification as a dangerous dog or vicious dog poses a threat to public safety, the dog may be immediately impounded and the dog owner shall be responsible for all costs resulting from such impoundment.
- (c) When an animal control officer determines that a dog is subject to classification as a dangerous dog or vicious dog, the animal control officer shall mail a dated notice to the dog's owner within (72) hours. Such notice shall include a summary of the animal control officer's determination and shall state that the owner has a right to request a hearing from the authority on the animal control officer's determination. A hearing request must be provided to the Animal Services Department within (15) days after the date shown on the notice. The notice shall also provide a form for requesting the hearing and shall state that if a hearing is not requested within the allotted time, the animal control officer's determination shall become effective for all purposes under this article.
- (d) When a hearing is requested by a dog owner in accordance with subsection (c) of this section, such hearing shall be scheduled within (30) days after the request is received; provided, however, that such hearing may be continued by the authority for good cause shown. At least (10) days prior to the hearing, the authority conducting the hearing shall mail to the dog owner written notice of the date, time, and place of the hearing. At the hearing, the dog owner shall be given the opportunity to testify and present evidence and the authority conducting the hearing shall receive other evidence and testimony as may be reasonably necessary to sustain, modify, or overrule the animal control officer's determination.
- (e) Within (10) days after the hearing, the authority which conducted the hearing shall mail written notice to the dog owner of its determination on the matter. If such determination is that the dog is a dangerous dog or a vicious dog, the notice of classification shall specify the date upon which that determination shall be effective. If the determination is that the dog is to be euthanized pursuant to OCGA § 4-8-26, the notice shall specify the date by which the euthanasia shall occur.

- (f) Judicial review of the authority's final decision may be had in accordance with OCGA § 50-13-19.
- (g) The judge in any superior court of competent jurisdiction within this state may order the euthanasia of a dog if the court finds, after notice and opportunity for a hearing as provided by this article, that the dog has seriously injured a human or presents a danger to humans not suitable for control under this article and:
 - (1) The owner or custodian of the dog has been convicted of a violation of any state criminal law and the crime was related to such dog; or
 - (2) Any local government authority has filed with the court a civil action requesting euthanasia of the dog.
- (h) A dog that is found, after notice and opportunity for a hearing as provided by this article, to have caused a serious injury to a human on more than one occasion shall be euthanized; provided, however, that no injury occurring before July 1, 2012 shall count for purposes of this subsection.

State law reference – Responsible Dog Ownership Law. OCGA § 4-8-20 et seq.

Section 4-1-9. Requirements for possessing a vicious or dangerous dog.

- (a) It shall be unlawful for an owner to have or possess within this state a vicious or dangerous dog without a certificate of registration issued in accordance with the provisions of this Code. Certificates of Registration shall be nontransferable and shall only be issued to a person (18) years of age or older.
- (b) Unless otherwise specified by this Code section, a certificate of registration for a vicious or dangerous dog shall be issued only if the dog control officer determines that the following requirements have been met:
 - (1) The owner has an enclosure designed to securely confine the vicious or dangerous dog on the owner's property, indoors, or in a securely locked and enclosed pen, fence, or structure suitable to prevent the vicious or dangerous dog from leaving such property; and
 - (2) Clearly visible warning signs have been posted at all entrances to the premises where the dog resides;

- (3) A microchip containing an identification number and capable of being scanned has been injected under the skin between the shoulder blades of the dangerous or vicious dog;
- (c) Except as provided in subsections (d), (e) and (f) of this Code section, a certificate of registration for a vicious dog shall be issued only if the dog control officer determines that the additional requirements have been met:
- (1) The owner maintains and can provide proof of general or specific liability insurance in the amount of at least (\$50,000.00) issued by an insurer authorized to transact business in this state insuring the owner of the vicious dog against liability for any bodily injury or property damage caused by the dog.
- (d) No certificate of registration shall be issued to any person who has been convicted of two or more violations of this article.
- (e) No person shall be the owner of more than one vicious dog.
- (f) No certificate of registration for a vicious dog shall be issued to any person who has been convicted of:
- (1) A serious violent felony as defined in OCGA § 17-10-6.1; or
- (2) The felony of dogfighting as provided for in OCGA § 16-12-37 or the felony of aggravated cruelty to animals as provided for in OCGA § 16-12-4; or
- (3) A felony involving trafficking in cocaine, illegal drugs, marijuana, methamphetamine, or ecstasy as provided for in OCGA §§ 16-13-31 and 16-13-31.1 from the time of conviction until two years after completion of his or her sentence, nor to any person residing with such person.
- (g) Certificates of registration shall be renewed on an annual basis. The owner of a vicious or dangerous dog shall pay an annual registration fee at the time the certificate of registration is issued. The annual registration fee shall be in the amount of one hundred dollars (\$100.00). Certificates of registration shall be renewed in the month of the initial registration. At the time of renewal of a certificate of registration for a vicious or dangerous dog, a dog control officer shall verify that the owner is continuing to comply with provisions of this article. Failure to renew a certificate of registration within (10) days of the renewal date or initial classification date shall constitute a violation of this article.

- (h) The owner of a vicious or dangerous dog shall notify the dog control officer within (24) hours if the dog is on the loose or has attacked a human and shall notify the dog control officer within (24) hours if the dog has died or has been euthanized.
- (i) A vicious dog shall not be transferred, sold, or donated to any other person unless it is relinquished for euthanasia to a governmental facility or veterinarian.
- (j) The owner of a vicious or dangerous dog who moves from one jurisdiction to another within the State of Georgia shall register the vicious or dangerous dog in the new jurisdiction within ten days of becoming a resident and notify the dog control officer of the jurisdiction from which he or she moved. The owner of a similarly classified dog who moves into this state shall register the dog as required within 30 days of becoming a resident.
- (k) Any dog classified prior to July 1, 2012 as a potentially dangerous dog shall on and after that date be classified as a dangerous dog under this article.
- (l) Any dog classified prior to July 1, 2012 as a dangerous dog in this state shall on and after that date be classified as a vicious dog under this article.

Section 4-1-10. Restrictions on permitting vicious or dangerous dogs outside of a proper enclosure.

- (a) It shall be unlawful for an owner of a vicious or dangerous dog to permit the dog to be outside a proper enclosure unless:
 - (1) The dog is muzzled. The muzzle shall be made in a manner that will prevent the dog from biting any person but not cause injury to the dog nor interfere with its vision or respiration, or
 - (2) The dog is restrained by a leash not to exceed six feet in length and is under the immediate physical control of a person capable of preventing the dog from engaging any other human or animal when necessary; or
 - (3) The dog is contained in a closed and locked cage or crate.
- (b) It shall be unlawful for an owner of a vicious or dangerous dog to permit the dog to be unattended with a minor.

Section 4-1-11. Confiscation of dogs; grounds; disposition.

- (a) A vicious dog shall be immediately confiscated by the dog control officer or by a law enforcement officer or any other person authorized by the dog control officer if:
- (1) The dog is not validly registered as required by this article; or
 - (2) The dog is not maintained in a proper enclosure as defined in the article; or
 - (3) The dog is outside a proper enclosure in violation of this article.
- (b) In addition, a vicious dog shall be confiscated in the same manner as a dangerous dog if the owner of the dog does not secure and maintain the liability insurance required by this article.
- (c) Any dog that has been confiscated under the provision of this section shall be returned to its owner upon the owner's compliance with the provisions of this article as determined by the dog control officer and upon the payment of reasonable confiscation and housing costs. All fines and all charges for services performed by a law enforcement or dog control officer shall be paid prior to owner's recovery of the dog. In the event the owner has not complied with the provisions of this section within twenty (20) days of the date the dog is confiscated, the dog shall be destroyed in an expeditious and humane manner and the owner shall be required to pay all fines, costs of housing, and euthanasia.
- (d) Criminal prosecution shall not be stayed due to owner recovery or euthanasia of the dog.

Section 4-1-12. Violations; penalties.

- (a) The owner of a classified dog who violates the applicable provisions of this article or whose classified dog is subject to confiscation under subsection of this article shall be guilty of a misdemeanor.
- (b) Any irregularity in classification proceedings shall not be a defense to any prosecution under this article so long as the owner of the dog received actual notice of the classification and did not pursue a civil remedy for the correction of the irregularity.
- (c) A refusal to surrender a dog subject to confiscation shall be a violation of this article.

Sec. 4-1-13. Nuisance.

- (a) No person shall keep or maintain, or cause or permit to be kept or maintained, upon any premises, any dog which by habitual and continual barking, howling, baying, or whining shall disturb the peace and comfort of any neighborhood or interfere with the reasonable and comfortable enjoyment of life or property by any person.
- (b) No person shall allow their dog individually or in combination with another dog or dogs together make, any noises or disturbances by barking, howling, yelping, whining or other utterance which is audible beyond the premises on which the dog is kept, for a consecutive period in excess of twenty (20) minutes during the day (7 A.M. to 9 P.M.) or for a consecutive period in excess of ten (10) minutes during the night (9:01 P.M. to 6:59 A.M.) and/or a cumulative period in excess of one hundred twenty (120) minutes during any twenty four (24) hour period.
- (c) No person shall keep or maintain, or cause or permit to be kept or maintained, any dog owned by him or in his possession or under his control which habitually commits a nuisance upon the property of any other person.
- (d) No person shall keep or maintain, or cause or permit to be maintained, any aggressive threatening dog on a property that is charging a fence that the animal can reasonably jump over and that is deemed a danger to the neighbors or public by both an animal services officer as well as one of the following: an animal services field supervisor, the Director of Animal Services (or the Director's designee). Owners of such dogs must eliminate the threat created thereby in one of the following ways:
 - (1) Immediately remove the dog from the premises; or
 - (2) Enclose the dog in an enclosure designed to securely confine such dog on the owner's property, indoors, or in a securely locked and enclosed pen, or structure suitable to prevent such dog from leaving such property; or
 - (3) Install a dig proof fence of sufficient height so that such dog cannot jump over it or otherwise escape; or
 - (4) Use another method as permitted by this Code to secure such dog so that it cannot escape.
- (e) No person shall keep or maintain, or cause to be kept or maintained, any unconfined dog which habitually attacks, or barks at passing pedestrians, vehicles, or other users of the public sidewalks, streets and highways.

- (f) The owner or possessor of every animal shall be responsible for the immediate removal of any excrement deposited by their animal on public walks, recreation area, or private/public property, or city owned buildings.
- (g) No citation for violation of this Section shall be issued unless at least one written warning, signed by an Augusta Animal Control Officer or Law Enforcement Officer and at least one Complaint, has been issued to an owner or keeper of the dog or dogs that have exceeded the noise limits. Such written warning shall contain the date and time when the violation occurred and a brief explanation of the nature of the noise Complaint. Once a written warning has been issued, a citation may be issued for any violations that occurred seven (7) or more days after the written warning without the necessity of an additional warning.
- (h) A citation shall be issued; or finding for a violation of this Section only where at least one complaining witnesses has signed Complaint; except that only a citation may be issued under either of the following circumstances:
 - 1) An Animal Control Officer or Law Enforcement Officer has personally investigated the Complaint of a single complainant and observed the nature and duration of the behavior exhibited and/or noise created by the dog and can testify as to such observation, or
 - 2) A complainant has presented to the Animal Control Officer or Law Enforcement Officer at the time of the Complaint other credible and admissible corroborative evidence of the alleged violation such as a video recording with a date stamp.
- (i) Any person who violates any provisions of this Section shall be guilty of a misdemeanor. Each and every violation of the provisions of this Section shall constitute a separate offense.
- (j) To file a complaint against a neighbor whose dog barks excessively or at inappropriate hours, contact Augusta Animal Services to report the barking dog.

Secs. 4-1-14 thru 4-1-15. Reserved.

EXHIBIT C

Strike:

~~Sec. 4-1-16. Definitions.~~

- ~~(a) Domestic animals. Dogs and cats and others that live and breed in a tame condition.~~
- ~~(b) Livestock. All animals of the equine, bovine, or swine class, including goats, sheep, mules, horses, hogs, cattle, and other grazing animals.~~
- ~~(c) Own. To have legal ownership of, or to possess, keep, have custody or control over, or harbor.~~
- ~~(d) Owner. Any person, association, firm or corporation, natural or artificial, owning, possessing, keeping, having custody of or control or authority over, or harboring any domestic animal or livestock.~~
- ~~(e) Public roads. Any street, road, highway, or way, including the full width of the right-of-way, which is open to the use of the public for vehicular travel.~~
- ~~(f) Running at large or straying. Any animal which is not under manual control of a person or in an authorized off-leash Dog Park and which is on any public road or street of Augusta-Richmond County, or on any property not belonging to the owner of the animal, unless by permission of the owner of such property.~~
- ~~(g) Urban services district. That area coterminous with the boundaries of former City of Augusta, Georgia as said boundaries existed as of December 31, 1995.~~
- ~~(h) Dog Park. A Dog Park recognized and operated as a secure place where dogs are allowed to play without a leash, so long as Handlers of such dogs comply with Dog Park Rules.~~

Replace With:

Sec. 4-1-16. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned an animal shall be considered abandoned when it has been unattended and without adequate food, water, ventilation or shelter, for a period in excess of (48) hours, regardless of where such animal may be found or kept.

Animal Services Advisory Board shall include the following Animal Control Advisory Board, the Animal Control Board, the Dangerous Dog Board, the Dangerous Dog Control Board, and the Authority referenced in AUGUSTA, GA CODE Sec. 4-1-8.

Augusta, Georgia shall be defined to include all areas within the territory limits of Richmond County, Georgia, except those excluded by federal or state law.

Classified dog means any dog that has been classified as either a dangerous dog or vicious dog pursuant to the Responsible Dog Ownership Law OCGA § 4-8-21.

Cruelty means causing death or unjustifiable pain or suffering to an animal by any act, omission, or neglect.

Dog Park means a place recognized and operated as a secure place where dogs are allowed to play without a leash, so long as Handlers of such dogs comply with Dog Park Rules.

Domestic animals. Dogs and cats and other animals that live and breed in a tame condition.

Ear Tip. A mark identifying a feral cat as being in a TNR program, specifically, the removal of approximately three-eighths of an inch off the tip of the cat's left ear in a straight line, while the cat is anesthetized.

Feral Cat Caregiver. Any person, who in accordance with a good faith effort to trap, neuter, vaccinate and return the feral cat, provides volunteer care to a feral cat.

Handler. Any owner or other person responsible for a dog utilizing the off-leash area of a Dog Park. A Handler must be age eighteen (18) years or older.

Livestock. All animals of the equine, bovine, or swine class, including goats, sheep, mules, horses, hogs, cattle, and other grazing animals.

Owner means any person or any legal entity, owning, possessing, harboring, keeping, or having custody or control of an animal. In the case of animals owned by a minor, the term "owner" includes the parents or person in custody of the minor. Owner does not include any person caring for a feral cat as a feral cat caregiver.

Public roads. Any street, road, highway, or way, including the full width of the right-of-way, which is open to the use of the public for vehicular travel.

Running at Large or Straying means any animal which is not under manual control of a person and which is on any public road or street of Augusta, Georgia, or on any property not belonging to the owner of the animal, unless by permission of the owner of such property.

Sanitary conditions means an animals' living space, shelter, or exercise area that is not contaminated by health hazards, waste, irritants, pollutants, items, or conditions that endanger or pose a risk to an animal's health.

Trap-Neuter-Return/TNR. A non-lethal approach to feral cat population control where feral cats are humanly trapped, sterilized, vaccinated, ear tipped and returned to the location where they were originally trapped.

Urban Services District. That area coterminous with the boundaries of former City of Augusta, Georgia as said boundaries existed as of December 31, 1995.

EXHIBIT D

Strike:

~~Sec. 4-1-19. Identification and vaccination tag to be worn.~~

~~(a) *Collar required.* It shall be unlawful for the owner of any dog in Augusta-Richmond County to allow such dog to be without a collar which shall have attached a valid vaccination tag, as required by this Chapter and an identification showing the name and address of the owner of the dog.~~

~~(b) *Duty of owner to provide collar.* It shall be the duty of each dog owner to provide a collar with identification as provided herein and inoculation tag for each dog, except when such dog is under immediate control of the owner or is participating in a dog show or exhibition.~~

Replace With:

Sec. 4-1-19. Collar and rabies vaccination tag required, unauthorized attachment and removal of tags, collars.

- (a) *Collar required.* It shall be unlawful for the owner of any dog in Augusta to allow such animal to be without a collar which shall have attached valid vaccination and registration tag, as required by the AUGUSTA, GA CODE to include identification showing the name and address of the owner of the animal.

Identification and rabies vaccination tag are not required to be attached to training collar and/or choke collars.

- (b) It shall be the duty of each dog owner to provide a collar with identification as provided herein and inoculation tag for each animal, except when such animal is under immediate control of the owner and is participating in an animal show or exhibition.
- (c) It shall be unlawful for any person to attach a vaccination and registration tag to the collar of any animal for which it was not issued, or to remove such tags from any animal without the consent of its owner or possessor; unless under the control of the animal services department.
- (d) Any animal shipped or transported through or entering Augusta only for the purpose of a temporary stay, when such stay shall not exceed fifteen (15) days, (ex: circus, futurity animals) shall be exempt from collar and tag sections of this article. However, all other provisions of Federal, state, and local laws are applicable to such transient animals.

EXHIBIT E

Strike:

Sec. 4-1-21. Duty of owner to keep dog and cat under control; stray animals prohibited.

~~It shall be unlawful for any animal to be out of control and/or unattended off the premises of its owner, and/or upon the premises of another person without the permission of such other person. This section shall not apply to those dogs which are actively engaged in hunting or field trials, dogs in off-leash Dog Parks or to those dogs and cats which are participating in animal shows or exhibitions.~~

Replace With:

Sec. 4-1-21. Duty of owner to keep dog and cat under control; stray animals prohibited.

- (a) It shall be unlawful for any animal to be out of control and/or unattended off the premises of its owner, and/or upon the premises of another person without the permission of such other person. This section shall not apply to those dogs which are actively engaged in hunting or field trials, dogs in off-leash dog parks or to those dogs and cats which are participating in animal shows or exhibitions.
- (b) An animal is considered not under restraint or under immediate control when it is running at large, whether wearing a collar and tag or not. Reasonable care and precautions shall be taken to prevent the animal from leaving the real property limits of its owner, possessor, or custodian, and to ensure that:
 - (1) It is securely and humanely enclosed within a house, building, fence, pen or other enclosure out of which it cannot climb, dig, jump, or otherwise escape on its own volition, and that such enclosure is securely locked at any time the animal is left unattended; or
 - (2) It is on a leash and under the immediate control of an owner, or it is off leash and obedient to and under voice command of the owner who is in the immediate proximity of the animal any time it is not restrained as provided for in subsection (1) while on the owner's property. Vicious Dogs require adult supervision at all times.
- (c) The owner or custodian exercising care and control over any animal which while off the owner's or custodian's property causes injury, death, or damage directly or indirectly to any livestock, poultry, or pet animal shall be liable to the owner of such livestock, poultry, or pet animal for injury, death, or damage caused by said animal. The owner or custodian of said animal shall be liable for any damage caused by such animal to public

or private property. The liability of the owner or custodian of the animal shall include consequential damages.

- (d) This section is to be considered cumulative of other remedies provided by law. There is no intent to eliminate or limit other causes of action which might attach to the owner of any livestock, poultry, or pet animal.
- (e) Augusta, Georgia does not sanction Trap-Neuter-Return/TNR programs at this time, in the interest of reducing the outside cat population and the admission and euthanasia rates at the municipal shelter. Augusta, Georgia will not pursue outdoor cats without complaints.

EXHIBIT F

Strike:

Sec. 4-1-25. Disposition of impounded animals.

~~(a) Impounded animals. If any animal be seized or impounded at the Augusta Richmond County Animal Control Department Shelter, the officers, agents and employees of the shelter shall notify by telephone the owner of such animal, if known or if the owner can be reasonably ascertained, that the animal has been impounded. The owner of any animal impounded may, within five (5) days after impoundment of such animal, reclaim the animal upon payment for the period of time the animal is impounded, including payment for any treatment rendered to said animal.~~

~~(b) Adoption of animals impounded. In the event an animal is not claimed within the time provided herein, the Augusta Richmond County Animal Control Department may offer for adoption, by any person, any animal unredeemed or unclaimed by the owner, upon payment of an adoption fee. The person adopting an animal shall carry the animal to a licensed veterinarian for treatment and rabies vaccination within five (5) days of adoption.~~

~~(c) Unclaimed animals. If an animal is not reclaimed by the owner within the time prescribed herein or adopted out, then the Augusta Richmond County Animal Control Department shall be authorized to dispose of said animal in as humane and painless a manner as possible. Such animal, if not claimed or adopted as provided, may be donated to any public or private institution for disposition.~~

~~(d) Injured animals. In the event that an animal is impounded which is injured beyond hope of any recovery, it shall be within the discretion of the director to destroy said animal.~~

Replace With:

Sec. 4-1-25. Disposition of impounded animals.

- (a) It shall be the duty of the Augusta Animal Services Department officers to impound any dangerous, vicious, guard, or protection dogs not confined, chained or muzzled as provided in the section; any female dog while in estrus not confined within an enclosure which can reasonably be expected to keep away or not attract male dogs; any animal not wearing the rabies inoculation tag required by state statute or local ordinance; any abandoned animal; any prohibited animal and any animal unrestrained in Augusta.
- (b) The personnel of the animal services department shall not return to the owner any animal impounded until such time as the owner has paid all fees and charges assessed, and the owner has provided proof of current registration before returning the animal to its owner.

(c) Impounded dogs and cats will be vaccinated for rabies if no proof of current vaccination exists at the owner's expense.

(d) Any impounded animal not claimed within five (5) business days of impoundment shall be considered relinquished to the Augusta Animal Services Department, in which event all rights of ownership shall vest in Augusta, Georgia and the owner shall have no further claim to such animal.

The Augusta Animal Services Department shall make a concerted effort to contact the owner of any impounded animal using microchip technology, animal collar and tags, rabies shot records and any other sources such as neighbors and neighborhood contacts.

(e) Augusta, Georgia shall have the exclusive right to dispose of all animals that have been deemed relinquished in any manner deemed appropriate in accordance with this chapter.

EXHIBIT G

Strike:

Sec. 4-1-26. Abandonment.

~~(a) No person shall release an animal on any property, public or private, with the intention of abandoning the animal.~~

~~(b) No person shall intentionally abandon a dead animal on any private property belonging to another unless the person so doing shall have first obtained permission from the owner of the property on which the animal is being left.~~

~~(c) No person shall abandon a dead animal on any public property or public right of way unless the place on which the animal is being left is an approved sanitary landfill or other facility designed for receiving such and has been designated by the Augusta Richmond County Commission as a public facility for receiving trash or refuse.~~

Replace With:

Sec. 4-1-26. Abandonment.

No person shall release an animal on any property, public or private, with the intention of abandoning the animal.

EXHIBIT H

Strike:

Sec. 4-1-27. Cruelty.

- (a) ~~Prohibited.~~ No person shall, by his act, omission or neglect, cause unjustifiable physical pain, suffering or death to any living animal. This section does not apply to killing of animals raised for the purpose of providing food, nor does it apply to any person who hunts wild animals in compliance with the game and fish laws of this state. Killing or injuring an animal for humane purposes or in the furtherance of medical or scientific research is justifiable.
- (b) ~~Permitted acts.~~ No person shall perform a cruel act on any animal, nor shall any person harm, maim or kill any animal, or attempt to do so; except that a person may:
- (1) ~~Defend his person or property or the person or property of another from injury or damage being caused by an animal; or~~
 - (2) ~~Kill any animal causing injury or damage to livestock or poultry.~~
- (c) ~~Physical abuse.~~ It is unlawful for any person to willfully or maliciously kill; maim; disfigure; torture; beat with a stick, chain, club or other object; mutilate, burn or scald with any substance; drive over or otherwise cruelly set upon any animal; except that reasonable force may be employed to drive off vicious or trespassing animals.
- (d) ~~Failure to care for and maintain.~~ It is unlawful for any person to fail, refuse or neglect to provide any animal in his charge or custody, as owner or otherwise, with proper food, drink, shade, care or shelter, or to carry any animal in or upon any vehicle in a cruel or inhumane manner. Any animal habitually kept outside shall be provided with a structurally sound, weatherproof enclosure, large enough to accommodate the animal and which meets all requirements established by the Health Department regarding same.
- (e) ~~Keeping diseased or crippled animal.~~ It is unlawful for any person to have, keep or harbor any animal which is infected with any dangerous disease or any incurable, painfully crippling condition. The Animal Control Department may impound such diseased or painfully crippled animal, and all such animals impounded may be destroyed as humanely as possible as soon thereafter as conveniently possible. In the case of destruction of such animal, the Animal Control Department shall not be required to give any notice. This section shall not be construed to include veterinary hospitals or animals under active veterinary care.
- (f) ~~Authority of Animal Control Department in case of animal neglect.~~ Whenever the Animal Control Department finds that any animal is or will be without proper care because of injury, illness, incarceration or other voluntary absence of the owner or person responsible for the care of such animal, the Animal Control Department may pick up such animal for protective care; and in the event of sickness or injury, the Animal Control Department may take such action as called for to prevent undue pain and suffering, including immediate destruction of the animal. In the event such animal is later released, in the discretion of the Animal Control Department, to its

~~owner, said owner shall be required to reimburse the Animal Control Department for any expenses incurred in taking any action to care for said animal.~~

Replace With:

Sec. 4-1-27. Cruelty to animals.

- (a) Prohibited acts. No person shall, by his act, omission or neglect, cause unjustifiable physical pain, suffering or death to any living animal. This section does not apply to killing of animals raised for the purpose of providing food, nor does it apply to any person who hunts wild animals in compliance with the fish and game laws of this state. Killing or injuring an animal for humane purposes or in the furtherance of medical or scientific research is justifiable.
- (b) Permitted acts. No person shall be liable for killing or otherwise performing a cruel action on any animal when such person is:
 - (1) Defending his or her person or property, or the person or property of another from injury or damage being cause by that animal; or
 - (2) Defending against injury or damage to any livestock, poultry or pet animal.
- (c) Any animal impounded as a result of cruelty, abuse, neglect, or any other reason defined by OCGA § 16-12-4 or by this chapter as inhumane treatment may be retained by Augusta Animal Services until such time as the case is disposed of by the judge of any court of competent jurisdiction within the state capable of hearing the matter.
- (d) Physical abuse. It is unlawful for any person to willfully or maliciously kill; maim; disfigure; torture; beat with a stick, chain, club or other object; mutilate, burn or scald with any substance; drive over or otherwise cruelly set upon any animal; except that reasonable force may be employed to drive off vicious or trespassing animals.
- (e) Failure to care for and maintain. It is unlawful for any person to fail, refuse or neglect to provide any animal in his charge or custody, as owner, with proper food, water, shelter, or necessary veterinary medical attention appropriate to the circumstances. Any animal habitually kept outside shall be provided with a structurally sound, weatherproof enclosure, large enough to accommodate the animal and which meets all requirements established by the Richmond County Health Department guidelines regarding same.

Necessary veterinary medical attention means medical care of an animal from or under the direction of a veterinarian and necessary to maintain the health of an animal based on the age, species, breed, etc., of the animal, or to prevent the animal from suffering from: infection, infestation, disease; or any other medical condition/injury where withholding or

neglecting to provide such care would endanger the health or welfare of the animal or promote the spread of communicable disease.

- (f) No animal shall be transported in the trunk of a vehicle or under a pick up truck's bed cover or "low profile" cover.
- (g) *Authority of Animal Services department in case of animal neglect.* Whenever the Animal Services department finds that any animal is or will be without proper care because of injury, illness, incarceration or other voluntary absence of the owner or person responsible for the care of such animal, the Animal Services department may pick up such animal for protective care; and in the event of sickness or injury, the Animal Services department may take such action as called for to prevent undue pain and suffering, including immediate destruction of the animal. In the event such animal is later released to its owner, in the discretion of the Director of Animal Services or his or her designee, said owner shall be required to reimburse the Animal Services Department for any expenses incurred in taking any action to care for said animal.

EXHIBIT I

Strike:

Sec. 4-1-29. Disposal of dead animals and fowl.

~~(a) It shall be unlawful to throw or place any dead fowl or animal on the streets or alleys of Augusta-Richmond County. Such fowl or animal, where size will permit, shall be placed in a covered receptacle and the sanitary department notified immediately.~~

~~(b) It shall be unlawful for the owner of any dead animal carcass to allow the same to remain in Augusta-Richmond County without disposing of same as provided for herein. Such owner shall immediately dispose of the same. If any such owner violates this section, the Commission, through its agents and employees, shall proceed to remove and dispose of such dead animal carcass, and the owner shall be liable to the Commission and shall pay to Augusta-Richmond County the sum of twenty dollars for such removal and disposal.~~

Replace With:

Sec. 4-1-29 Disposal of dead animals.

- (a) It shall be unlawful for any person who owns or is caring for an animal which has died or has been killed to abandon the dead animal. Such person shall dispose of the dead animal as provided for in this Code Section or in accordance with Federal or state law. Dead animals shall not be abandoned in wells, open pits, or surface waters of any kind on private or public land.
- (b) No person shall dispose of a dead animal on the land of another without the permission of the owner of the land.
- (c) Dead animals must be properly buried, incinerated, or disposed of at the Augusta Deans Bridge Road Municipal Solid Waste Landfill.
- (d) It shall be unlawful for the owner of any dead animal carcass to allow the same to remain on the property without disposing of same as provided for herein. If any such owner violates this section, the Commission, through its agents and employees, shall proceed to remove and dispose of such dead animal carcass, and the owner shall be liable for repayment of all fees for such removal and disposal.
- (e) Dead livestock, including horses, cattle and any other large animals must be disposed of by the animal owner or property owner at the Augusta Deans Bridge Road Municipal Solid Waste Landfill. All expenses associated with disposal shall be the responsibility of the animal owner or property owner.
- (f) Methods which can be used for disposal of dead animals are burial, incineration in an approved incinerator, or disposed of at the Augusta Deans Bridge Road Municipal Solid

Waste Landfill. Disposal of animal carcasses by either of the approved methods must be completed within (12) hours after death or discovery. If incineration is chosen, the entire carcass must be reduced to ashes in the incineration process. Carcasses which are buried must be buried at least three feet below the ground level, have not less than three feet of earth over the carcass, and must not contaminate ground water or surface water.

State law reference – Dead Animal Disposal Act, OCGA § 4-5-1 et seq.

EXHIBIT J

Strike:

Sec. 4-1-36 thru 4-1-50. Reserved.

Replace With:

Sec. 4-1-36. Duty of owner to keep dangerous or vicious animals under control.

- (a) Dangerous Dog means any dog that causes a substantial puncture of a person's skin by teeth without causing serious injury; provided, however, that a nip, scratch, or abrasion shall not be sufficient to classify a dog as dangerous under this subparagraph;
- (b) Aggressively attacks in a manner that causes a person to reasonably believe that the dog poses an immediate threat of serious injury to such person or another person although no injury occurs; provided, however, that the acts of barking, growling, or showing of teeth by a dog shall not be sufficient to classify a dog as dangerous under this subparagraph; or
- (c) While off the owner's property, kills a pet animal; provided, however, that this subparagraph shall not apply where the death of such pet animal is caused by a dog that is working or training as a hunting dog, herding dog, or predator control dog. The term "dangerous dog" shall not include the following:
 - (1) A dog that is in the act of use by a law enforcement or military officer to carry out the law enforcement or military officer's official duties.
 - (2) A dog that inflicts an injury upon a person who, at the time, was committing a willful trespass or other tort, or was tormenting, abusing, or assaulting the dog or had in the past been observed or reported to have tormented, abused, or assaulted the dog or was committing or attempting to commit a crime, under Chapter 5 of Title 16 of the Official Code of Georgia Annotated.
- (d) It shall be unlawful for an owner of a dangerous dog to permit the dog to be off the owner's property unless:
 - (1) The dog is restrained by a secure collar and leash not to exceed six feet in length and is under the immediate physical control of a person capable of preventing the dog from engaging any other human or animal when necessary; or
 - (2) The dog is contained in a closed and locked cage or crate; or
 - (3) The dog is working or training as a hunting dog, herding dog, or predator control dog.

(e) Vicious Dog means a dog that inflicts serious injury on a person or causes serious injury to a person resulting from reasonable attempts to escape from the dog's attack. The term shall not include the following:

(1) A dog that is in the act of use by a law enforcement or military officer to carry out the law enforcement or military officer's official duties.

(2) A dog that inflicts an injury upon a person who, at the time, was committing a willful trespass or other tort, or was tormenting, abusing, or assaulting the dog or had in the past been observed or reported to have tormented, abused, or assaulted the dog or was committing or attempting to commit a crime, under Chapter 5 of Title 16 of the Official Code of Georgia Annotated.

(f) It shall be unlawful for an owner of a vicious dog to permit the dog to be:

(1) Outside an enclosure designated to securely confine the vicious dog while on the owner's property or outside a securely locked and enclosed pen, fence, or structure suitable to prevent the vicious dog from leaving such property unless:

(A) The dog is muzzled and restrained by a leash not to exceed six (6) feet in length and is under the immediate physical control of a person capable of preventing the dog from engaging any other human or animal when necessary; or

(B) The dog is contained in a closed and locked cage or crate;

(2) Unattended with minors.

(g) A person who violates subsections (d) or (f) of this Code section shall be guilty of a misdemeanor.

(h) An enclosure designed to securely confine a Vicious Dog is a pen or kennel of adequate size to humanely confine the dog. The pen or kennel may not share common fencing with the area or perimeter fence. The kennel or pen must have secure sides and a secure top attached to all sides. The sides must either be buried two feet into the ground or sunken into a concrete pad. The gate to the kennel or pen shall be inward-opening and shall be kept locked except when tending to the animal's needs such as cleaning the kennel or pen or providing food and water.

Outdoor Enclosure means a sufficient safe space for adequate exercise suitable to the age, size, species and breed of animal. For dogs, adequate space means an enclosure with a minimum of 100 square feet per dog.

- (i) A vicious dog shall be immediately confiscated by an Animal Services or law enforcement officer if the vicious dog is not controlled or maintained by its owner as described above in AUGUSTA GA, CODE Sec.'s. 4-1-21 and 4-1-36; or if the vicious dog is outside a proper enclosure in violation of this article. Upon impounding a vicious dog for any reason, the Animal Services unit may for reasons of public safety, retain the animal at the impoundment facility until disposition by the appropriate court.
- (j) Any dog deemed dangerous or vicious cannot be reclaimed by its owner until such time as the requirements of OCGA 4-8-27 and AUGUSTA, GA Code Sec. 4-1-36(d) regarding the possession of a dangerous or vicious dog have been satisfied. Owners are responsible for the payment of all cost associated with the animals confinement. If such requirements are not met within (5) business days of impoundment, the dog shall be deemed permanently relinquished to the Augusta Animal Services Department and may be destroyed in an expeditious and humane manner.
- (k) Guard or protection dog means any dog which has been trained to attack persons or other animals independently or upon oral command and any dog which, while not so trained, is reasonably expected to perform as a guardian of the property upon and or within which it is located:
- (1) Owners or custodians of any guard or protection dog must confine all such dogs within a perimeter fence and meet the following conditions, unless the dog is otherwise restrained as provided for in AUGUSTA, GA CODE Sec. 4-1-21.
- (a) The fence shall be sufficient to prevent the dog's escape, with all points of ingress and egress securely locked at all times.
- (b) A "beware of dog" sign shall be conspicuously displayed on each exterior side of the enclosure for each 50 feet of enclosure, minimum of two, as well as a sign on each ingress or egress point to the enclosure. Signs shall be a minimum of ten (10) inches high and fourteen (14) inches long.
- (c) The owner or custodian shall, prior to placing dogs on property, have the dog(s) microchip registered, at his/her own expense, and provide the registration number to the Animal Services Department.
- (d) The owner or custodian shall report to the department of Animal Services within twenty four (24) hours of any of the following:
- i. Escape of the dog;

- ii. An attack on a human or animal by the dog;
 - iii. Transfer of ownership of the dog;
 - iv. Death of the dog.
- (f) Any public safety officers, including animal control officers shall have the authority to enter onto private or public property for the purpose of ensuring compliance with the provisions of this chapter.

Sec 4-1-37. Tethering.

Dogs may be tethered outside so long as the owner remains outside with the dog and maintains the animal within the owner's line of sight.

Sec. 4-1-38. Interference with Animal Control Officers.

This chapter may be enforced by any employee of the Augusta Animal Services Department or any peace officer. Violators may be issued citations as provided by OCGA §§ 15-10-62 and 15-10-63.

- (a) In the performance of his duties pursuant to the provisions of this subchapter, any animal control officer or any law enforcement officer assisting in enforcing this subchapter may use such force as is necessary to defend themselves from attack by an animal. Provided, however, that all efforts shall be made to impound an animal without undue harm, injury or danger to the animal, the officer, or to other persons and property.
- (b) It shall be unlawful for any person to interfere with, hinder or molest an animal control officer or other authorized officer in the performance of their duty, or seek to release any animal in the custody of the animal care and control department.
- (c) Any animal control officer is hereby authorized to enter upon any property for the purpose of investigating alleged violations of this chapter, or to seize and impound any animal found to be in violation of this subchapter. The animal care and control department may use any appropriate means necessary to remove an animal in distress locked in a closed vehicle and the operator of the said vehicle shall be charged with cruelty to animals.

Sec. 4-1-39. Registration Requirement. Any person owning, keeping, harboring, or having custody of a dog or cat (6) months old or older within the limits of Augusta, Georgia are required to register each animal with the Augusta Animal Services Department and obtain a registration license tag.

To obtain a registration license tag, owners must provide proof of current rabies vaccination and proof of spay/neuter if registering an altered animal.

Sec. 4-1-40. Deadline for Compliance.

Except as otherwise provided, every person owning, keeping, harboring, or having custody of an animal in Augusta, Georgia shall have the animal registered and licensed in accordance with these provisions one year after the effective date of this ordinance.

Sec. 4-1-41. Change in address/ownership.

The residence address of the owner shall be presumed to be the custodial location of the animal. All changes of address must be reported to the Augusta Animal Services Department in writing within thirty (30) calendar days following such change. A permit or license holder shall notify the Augusta Animal Services Department in writing of any change of ownership of a dog or cat within thirty (30) calendar days following such change.

Sec. 4-1-42. Breeding of Animals.

- (a) *Hobby breeders* are governed by the licensing and record keeping regulations of the Georgia Department of Agriculture, OCGA §§ 40-13-13 et. seq., and by relevant provisions of the Georgia Animal Protection Act, OCGA §§ 4-11-1 et. seq., and all other applicable laws.
- (b) *Backyard breeders*. It is unlawful for any person who does not hold a license from the Georgia Department of Agriculture to breed an animal if they are required to be licensed by the Georgia Department of Agriculture.
- (c) *Kennels and Breeders* are defined by the Georgia Department of Agriculture. Owners of Kennels and Breeders within Augusta, Georgia, are required to comply with the Annual Registration requirement the AUGUSTA, GA CODE Sec. 4-1-39.

Sec. 4-1-43. Fees and Fines.

The fees with respect to all services and licensing performed in connection with enforcement of this chapter shall be set by the Augusta Board of Commissioners from time to time. A copy of such fee schedule shall be posted at the Augusta Animal Services Department and may be changed at any time and from time to time as determined by the Commission.

- (a) The fees established and collected under this chapter and pursuant to the State Dangerous Dog Control Law are not penalties but are imposed for the sole purpose of defraying expenses borne by the County for animal control and welfare under this chapter and are subject to change at any time.
- (b) The personnel of the animal services department shall not return to the owner any animal impounded until such time as the owner has paid fees and charges assessed, and the

owner has provided proof of current vaccination for rabies and licensing, before returning the animal to owner.

- (c) For all other animals impounded other than dogs or cats, the owner or custodian shall be charged the base fees, plus actual expenses and an additional ten (10) percent of both the base fee and actual expense.
- (d) Fees collected in connection with enforcement of this chapter shall be used to enhance the services provided by the Augusta Animal Services Department to include Public Education Programs, Spay and Neutering, and other related services.

Sec. 4-1-44. Fee Schedule.

Registration	Fees
Lifetime Registration Fee for Spayed/Neutered Cats or Dogs	\$0.00 (yearly Rabies vaccination required)
Annual Registration Fee for Intact Cats or Dogs.	\$10.00 annual fee per animal not to exceed \$200.00 annually for owners with multiple animals. (yearly Rabies vaccination required)
Adoption	
Military/Senior Citizen	\$50.00
Male/Female Cat/Kitten	\$55.00
Male Dog/Puppy	\$65.00
Female Dog/Puppy	\$75.00
Domestic Impound**	
1 st Offense	\$60.00
2 nd Offense	\$125.00
3 rd Offense	\$250.00
Livestock Impound	
1 st Offense	\$300.00
2 nd Offense	\$500.00
3 rd Offense	\$700.00
Miscellaneous	

Daily Board of Impounded Animals	\$25.00
Rabies Vaccination of Impounded Animals	\$25.00
Owned Live Field Surrender	\$50.00
Microchipping	\$15.00
Spay/Neuter of Impounded Animals	\$75.00
Fertility Testing of Impounded Animals	\$30.00
Quarantine for Rabies Observation	\$300.00
Euthanasia with owner transport (includes disposal)	\$50.00
Euthanasia with Animal Services Pick-up (includes disposal)	\$75.00

****If livestock is small (goats, etc.) and can be transported via pickup truck or containment truck, domestic impound animal fees may apply.**

Secs. 4-1-45 - 4-1-50. Reserved.

EXHIBIT K

Strike:

Sec. 4-1-53. Impoundment of livestock straying.

~~(a) It shall be the duty of the Augusta Richmond County Animal Control Department officers to impound livestock found to be running at large or straying. Owners or operators of a farm may also impound such livestock, provided that the livestock is kept in a suitable place and cared for properly. Such owners or operators shall receive the feed and care fee for such animal.~~

~~(b) If the owner or operator of a farm impounds livestock, it shall be his duty to notify the owner of such livestock immediately. If the owner of the livestock is unknown and is not determined within three (3) days, the person who impounds the livestock shall notify the Augusta Richmond County Animal Control Department of such impoundment, and the Animal Control Department shall transport the livestock as soon as possible to a suitable place and care for it properly, with the owner responsible to Augusta Richmond County for the feed and care fee for such animal.~~

Replace With:

Sec. 4-1-53. Impoundment of livestock straying.

- (a) It shall be the duty of the Augusta Animal Services Department officers to impound livestock found to be running at large or straying.
- (b) Owners or possessors of livestock impounded for violation of this article or any state or federal law, will be charged in accordance with actual costs of impoundment, boarding fees and any veterinary costs.
- (c) Impounded livestock shall be held for a period of (15) days. If such impounded livestock is not claimed by the owner during that period of time, Animal Services Department will determine disposition of the livestock.

AUGUSTA, GA CODE	2016 Proposed Ordinance Revisions	February 2, 2016 Ordinance Amendments
WHEREAS CLAUSE SECTION 14	SECTION 14. This ordinance shall become effective upon its adoption in accordance with applicable laws.	SECTION 14. This ordinance shall become effective on January 1, 2017 in accordance with applicable laws.
Sec. 4-1-16. Definitions	Revised	<p><i>Ear Tip</i> A mark identifying a feral cat as being in a TNR program, specifically, the removal of approximately three-eighths of an inch off the tip of the cat's left ear in a straight line, while the cat is anesthetized.</p> <p><i>Feral Cat Caregiver</i> Any person, who in accordance with a good faith effort to trap, neuter, vaccinate and return the feral cat, provides volunteer care to a feral cat.</p> <p><i>Owner</i> means any person or any legal entity, owning, possessing, harboring, keeping, or having custody or control of an animal. In the case of animals owned by a minor, the term "owner" includes the parents or person in custody of the minor. Owner does not include any person caring for a feral cat as a feral cat caregiver.</p> <p><i>Trap-Neuter-Return/TNR</i> A non-lethal approach to feral cat population control where feral cats are humanly trapped, sterilized, vaccinated, ear tipped and returned to the location where they were originally trapped.</p>
4-1-19 Collar and rabies vaccination tag required, unauthorized attachment and removal of tags,	(a) <i>Collar required.</i> It shall be unlawful for the owner of any dog in Augusta to allow such animal to be without a collar which shall have attached valid vaccination and registration tag, as required by the Augusta, GA Code to include identification showing the name and address of the owner of the animal.	(a) <i>Collar required.</i> It shall be unlawful for the owner of any dog in Augusta to allow such animal to be without a collar which shall have attached valid vaccination and registration tag, as required by the Augusta, GA Code to include identification showing the name and address of the owner of the animal.

collars.	<p>(b) It shall be the duty of each dog owner to provide a collar with identification as provided herein and inoculation tag for each animal, except when such animal is under immediate control of the owner and is participating in an animal show or exhibition.</p> <p>(c) It shall be unlawful for any person to attach a vaccination and registration tag to the collar of any animal for which it was not issued, or to remove such tags from any animal without the consent of its owner or possessor; unless under the control of the animal services department.</p> <p>(d) Any animal shipped or transported through or entering Augusta only for the purpose of a temporary stay, when such stay shall not exceed fifteen (15) days, (ex: circus, futurity animals) shall be exempt from collar and tag sections of this article. However, all other provisions of Federal, state, and local laws are applicable to such transient animals.</p>	<p>Identification and rabies vaccination tag are not required to be attached to training collar and or choke collars.</p> <p>(b) It shall be the duty of each dog owner to provide a collar with identification as provided herein and inoculation tag for each animal, except when such animal is under immediate control of the owner and is participating in an animal show or exhibition.</p> <p>(c) It shall be unlawful for any person to attach a vaccination and registration tag to the collar of any animal for which it was not issued, or to remove such tags from any animal without the consent of its owner or possessor; unless under the control of the animal services department.</p> <p>(d) Any animal shipped or transported through or entering Augusta only for the purpose of a temporary stay, when such stay shall not exceed fifteen (15) days, (ex: circus, futurity animals) shall be exempt from collar and tag sections of this article. However, all other provisions of Federal, state, and local laws are applicable to such transient animals.</p>
Sec. 4-1-21. Duty of owner to keep dog and cat under control; stray animals prohibited.	<p>(a) It shall be unlawful for any animal to be out of control and/or unattended off the premises of its owner, and/or upon the premises of another person without the permission of such other person. This section shall not apply to those dogs which are actively engaged in hunting or field trials, dogs in off-leash dog parks or to those dogs and cats which are participating in animal shows or exhibitions.</p> <p>(b) An animal is considered not under restraint or under</p>	<p>(a) It shall be unlawful for any animal to be out of control and/or unattended off the premises of its owner, and/or upon the premises of another person without the permission of such other person. This section shall not apply to those dogs which are actively engaged in hunting or field trials, dogs in off-leash dog parks or to those dogs and cats which are participating in animal shows or exhibitions.</p> <p>(b) An animal is considered not under restraint or under</p>

	<p>immediate control when it is running at large, whether wearing a collar and tag or not. Reasonable care and precautions shall be taken to prevent the animal from leaving the real property limits of its owner, possessor, or custodian, and to ensure that:</p> <p>(1) It is securely and humanely enclosed within a house, building, fence, pen or other enclosure out of which it cannot climb, dig, jump, or otherwise escape on its own volition, and that such enclosure is securely locked at any time the animal is left unattended; or</p> <p>(2) It is on a leash and under the immediate control of an owner, or it is off leash and obedient to and under voice command of the owner who is in the immediate proximity of the animal any time it is not restrained as provided for in subsection (1) while on the owner's property. Vicious Dogs require adult supervision at all times.</p> <p>(c) The owner or custodian exercising care and control over any animal which while off the owner's or custodian's property causes injury, death, or damage directly or indirectly to any livestock, poultry, or pet animal shall be liable to the owner of such livestock, poultry, or pet animal for injury, death, or damage caused by said animal. The owner or custodian of said animal shall be liable for any damage caused by such animal to public or private property. The liability of the owner or custodian of the animal shall include consequential damages.</p> <p>(d) This section is to be considered cumulative of other remedies provided by law. There is no intent to</p>	<p>immediate control when it is running at large, whether wearing a collar and tag or not. Reasonable care and precautions shall be taken to prevent the animal from leaving the real property limits of its owner, possessor, or custodian, and to ensure that:</p> <p>(1) It is securely and humanely enclosed within a house, building, fence, pen or other enclosure out of which it cannot climb, dig, jump, or otherwise escape on its own volition, and that such enclosure is securely locked at any time the animal is left unattended; or</p> <p>(2) It is on a leash and under the immediate control of an owner, or it is off leash and obedient to and under voice command of the owner who is in the immediate proximity of the animal any time it is not restrained as provided for in subsection (1) while on the owner's property. Vicious Dogs require adult supervision at all times.</p> <p>(c) The owner or custodian exercising care and control over any animal which while off the owner's or custodian's property causes injury, death, or damage directly or indirectly to any livestock, poultry, or pet animal shall be liable to the owner of such livestock, poultry, or pet animal for injury, death, or damage caused by said animal. The owner or custodian of said animal shall be liable for any damage caused by such animal to public or private property. The liability of the owner or custodian of the animal shall include consequential damages.</p> <p>(d) This section is to be considered cumulative of other remedies provided by law. There is no intent to</p>
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	eliminate or limit other causes of action which might attach to the owner of any livestock, poultry, or pet animal.	
Sec. 4-1-25. Disposition of impounded animals.	<p>(a) It shall be the duty of the Augusta Animal Services Department officers to impound any dangerous, vicious, guard, or protection dogs not confined, chained or muzzled as provided in the section; any female dog while in estrus not confined within an enclosure which can reasonably be expected to keep away or not attract male dogs; any animal not wearing the rabies inoculation tag required by state statute or local ordinance; any abandoned animal; any prohibited animal and any animal unrestrained in Augusta.</p> <p>(b) The personnel of the animal services department shall not return to the owner any animal impounded until such time as the owner has paid all fees and charges assessed, and the owner has provided proof of current registration before returning the animal to its owner.</p> <p>(c) Impounded dogs and cats will be vaccinated for rabies, sterilized, and microchipped, (if no proof of current vaccination, sterilization, or microchipping exists) at the owner's expense.</p> <p>(d) Any impounded animal not claimed within five (5) business days of impoundment shall be considered</p>	<p>(e) Augusta, Georgia does not sanction Trap-Neuter-Return/TNR programs at this time, in the interest of reducing the outside cat population and the admission and euthanasia rates at the municipal shelter. Augusta, Georgia will not pursue outdoor cats without complaints.</p> <p>(a) It shall be the duty of the Augusta Animal Services Department officers to impound any dangerous, vicious, guard, or protection dogs not confined, chained or muzzled as provided in the section; any female dog while in estrus not confined within an enclosure which can reasonably be expected to keep away or not attract male dogs; any animal not wearing the rabies inoculation tag required by state statute or local ordinance; any abandoned animal; any prohibited animal and any animal unrestrained in Augusta.</p> <p>(b) The personnel of the animal services department shall not return to the owner any animal impounded until such time as the owner has paid all fees and charges assessed, and the owner has provided proof of current registration before returning the animal to its owner.</p> <p>(c) Impounded dogs and cats will be vaccinated for rabies, sterilized, and microchipped, (if no proof of current vaccination, sterilization, or microchipping exists) at the owner's expense.</p> <p>(d) Any impounded animal not claimed within five (5) business days of impoundment shall be considered</p>

	<p>relinquished to the Augusta Animal Services Department, in which event all rights of ownership shall vest in Augusta, Georgia and the owner shall have no further claim to such animal.</p> <p>The Augusta Animal Services Department shall make a concerted effort to contact the owner of any impounded animal using microchip technology, animal collar and tags, rabies shot records and any other sources such as neighbors and neighborhood contacts.</p> <p>(e) Augusta, Georgia shall have the exclusive right to dispose of all animals that have been deemed relinquished in any manner deemed appropriate in accordance with this chapter.</p>	<p>relinquished to the Augusta Animal Services Department, in which event all rights of ownership shall vest in Augusta, Georgia and the owner shall have no further claim to such animal.</p> <p>The Augusta Animal Services Department shall make a concerted effort to contact the owner of any impounded animal using microchip technology, animal collar and tags, rabies shot records and any other sources such as neighbors and neighborhood contacts.</p> <p>(e) Augusta, Georgia shall have the exclusive right to dispose of all animals that have been deemed relinquished in any manner deemed appropriate in accordance with this chapter.</p>
<p>Sec. 4-1-39. Registration Requirement</p>	<p>Any person owning, keeping, harboring, or having custody of a dog or cat (6) months old or older within the limits of Augusta, Georgia are required to register each animal with the Augusta Animal Services Department and obtain a registration license tag.</p> <ol style="list-style-type: none"> 1. To obtain a registration license tag, owners must provide proof of current rabies vaccination, microchipping, and sterilization, or 2. Owners who wish to maintain unaltered animals must apply for an unaltered animal permit and provide proof of rabies vaccination, and microchipping. <p>(a) Animal Services will issue an unaltered animal registration license tag to owners that comply with the requirements set</p>	<p>Any person owning, keeping, harboring, or having custody of a dog or cat (6) months old or older within the limits of Augusta, Georgia are required to register each animal with the Augusta Animal Services Department and obtain a registration license tag.</p> <ol style="list-style-type: none"> 1. To obtain a registration license tag, owners must provide proof of current rabies vaccination and proof of spay/neuter if registering an altered animal., microchipping, and sterilization, or 2. Owners who wish to maintain unaltered animals must apply for an unaltered animal permit and provide proof of rabies vaccination, and microchipping. <p>(e) Animal Services will issue an unaltered animal registration license tag to owners that</p>

	<p>forth in this article and pays the permit fee established by the Board of Commissioners. A certificate will be issued identifying the animal as a permitted unaltered animal and such information shall be made available for inspection upon request by a law enforcement officer or an animal services officer.</p> <p>(b) Owners who apply for an unaltered animal permit must provide proof of rabies vaccination and microchipping of the animal prior to the issuance of the permit. An unaltered animal permit shall be valid for the same term as the rabies vaccination.</p>	<p>comply with the requirements set forth in this article and pays the permit fee established by the Board of Commissioners. A certificate will be issued identifying the animal as a permitted unaltered animal and such information shall be made available for inspection upon request by a law enforcement officer or an animal services officer.</p> <p>(b) Owners who apply for an unaltered animal permit must provide proof of rabies vaccination and microchipping of the animal prior to the issuance of the permit. An unaltered animal permit shall be valid for the same term as the rabies vaccination.</p>						
<p>Sec. 4-1-40. Deadline for Compliance.</p>	<p>Except as otherwise provided, every person owning, keeping, harboring, or having custody of an animal in Augusta, Georgia shall have the animal registered and licensed in accordance with these provisions within one year of the date the ordinance is approved by Board of Commissioners.</p>	<p>Except as otherwise provided, every person owning, keeping, harboring, or having custody of an animal in Augusta, Georgia shall have the animal registered and licensed in accordance with these provisions one year after the effective date of this ordinance.</p>						
<p>Sec. 4-1-44. Fee Schedule</p>	<p>Revised</p>	<table><tr><th>Registration</th><th>Fees</th></tr><tr><td>Lifetime Registration Fee for Spayed/Neutered Cats or Dogs</td><td>\$0.00 (yearly Rabies vaccination required)</td></tr><tr><td>Annual Registration Fee for Intact Cats or Dogs</td><td>\$10.00 annual fee per animal not to exceed \$200.00 annually for owners with multiple</td></tr></table>	Registration	Fees	Lifetime Registration Fee for Spayed/Neutered Cats or Dogs	\$0.00 (yearly Rabies vaccination required)	Annual Registration Fee for Intact Cats or Dogs	\$10.00 annual fee per animal not to exceed \$200.00 annually for owners with multiple
Registration	Fees							
Lifetime Registration Fee for Spayed/Neutered Cats or Dogs	\$0.00 (yearly Rabies vaccination required)							
Annual Registration Fee for Intact Cats or Dogs	\$10.00 annual fee per animal not to exceed \$200.00 annually for owners with multiple							

			animals. (yearly Rabies vaccination required)
		Miscellaneous	
		Microchipping of Impounded Animals	\$25.00
		Microchipping	\$15.00